

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IGT,

Plaintiff,

V.

**BALLY GAMING INTERNATIONAL,
INC., BALLY TECHNOLOGIES, INC.,
and BALLY GAMING, INC.,**

Defendants.

C.A. No. 06-282 (***)

REVISED SCHEDULING ORDER

IT IS HEREBY stipulated by the parties, subject to the approval of the Court, that the Scheduling Order entered on July 11, 2006 (D.I. 45), and the Court's November 28, 2006 Order (D.I. 100), are revised as follows:

SCHEDULING ORDER

2. Amendment of Pleadings. All motions to amend or supplement the pleadings shall be filed on or before March 16, 2007.

3. d. Discovery Cut Off. All discovery (including all fact and expert discovery) in this case shall be initiated so that it will be completed by the later of January 11, 2008, or 120 days after the Court's claim construction rulings.

e. Disclosure of Expert Testimony. Unless otherwise agreed to by the parties, they shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on issues on which the party bears the burden of proof on the later of October 12, 2007, or 35 days after the Court's claim construction rulings. The parties shall file any rebuttal expert reports on or before

the later of November 16, 2007, or 70 days after the Court's claim construction rulings. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court.

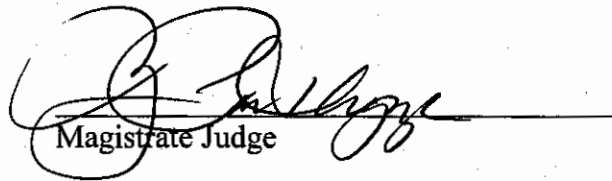
9. Case Dispositive Motions. The deadline for all parties to file case dispositive motions, including any opening brief and affidavits in support of the motion, shall be the later of February 8, 2008, or 150 days after the Court's claim construction rulings. Opposition briefs to any case dispositive motions shall be filed by the later of February 29, 2008, or 175 days after the Court's claim construction rulings. Reply briefs shall be filed by the later of March 18, 2008, or 195 days after the Court's claim construction rulings. Evidence and argument on any case dispositive motions will be heard at a time to be set by the Court.

14. Pretrial Conference. The parties shall file with the Court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies this Scheduling Order twenty-eight days before the Pretrial Conference. The Final Pretrial Conference will be held ~~in Chambers with counsel~~ on a date to be set by the Court. Unless otherwise ordered by the Court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3).

17. Trial. This matter is scheduled for a ten (10) day jury trial beginning at 9:30 a.m. on ~~May —, 2008~~. For the purpose of completing pretrial preparations, counsel should plan on each side being allocated a total of twenty-two hours to present their case.

NOVEMBER 28, 2006 ORDER

Preliminary Injunction Motion. Oral argument on plaintiff's motion for a preliminary injunction (D.I. 75) will be heard at a time to be set by the Court. Defendants' answering brief shall be filed at least forty-five days before that hearing, and plaintiff's reply brief shall be filed at least fifteen days before that hearing.


Magistrate Judge